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Department of Water Resources

2002 FEB 12 PM 4: 29

DISTRICT COURT-SABA
TWIN FALLS CO., IDAHO
FILED _____

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

)
)
)
)

ORDER OF PARTIAL DECREE

For Water Right 72-00247

On December 18, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 72-00247 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 2/12/02



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 72-00247

2002 FEB 12 PM 4:30
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: HIGH MOUNTAIN RANCHES LTD
PARTNERSHIP
2027 SILVER CREEK LN
BOISE, ID 83706

SOURCE: LYON CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 1.86 CFS
287.00 AFY

USE OF THIS RIGHT WITH RIGHT 72-00246 IS LIMITED TO A TOTAL
COMBINED DIVERSION VOLUME OF 287.0 AF.

PRIORITY DATE: 04/01/1884

POINT OF DIVERSION: T12N R18E S35 SENWSE Within Custer 0001 County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.86 CFS 287.00 AFY

PLACE OF USE:	Irrigation	Within Custer	0001 County
	T11N R18E S01 LOT 04 (NWNW) 14.0		
	S02 LOT 01 (NENE) 17.0	LOT 05 (SENE) 1.7	
	T12N R18E S35 LOT 03 (SENE) 2.0	NESE 0.4	
	SESE 7.4		
	S36 LOT 05 (SWNW) 6.6	LOT 05 (NWSW) 16.0	
	LOT 06 (SWSW) 16.9		
	82.0 Acres Total		

USE OF THIS RIGHT WITH RIGHT NO. 72-00246 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 82.0 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 FEB 12 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 72-00247

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 72-00247 was mailed
on February 12, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

HIGH MOUNTAIN RANCHES LTD
Represented by:
MURRAY D. FELDMAN
PO BOX 2527
101 S CAPITOL BLVD, STE 1400
BOISE, ID 83701
Phone: 208-342-5000

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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02/12/02